

§ 157.100

18 CFR Ch. I (4–1–00 Edition)

§ 157.100 General.

This subpart establishes optional procedures whereby any eligible applicant may obtain, for the purpose of providing new service, a certificate authorizing the following activities subject to the Commission's jurisdiction:

- (a) The transportation of natural gas;
- (b) Sales of natural gas;
- (c) The construction and operation of natural gas facilities;
- (d) The acquisition and operation of natural gas facilities; and
- (e) Conditional pre-granted abandonment of such activities and facilities upon termination of its contractual obligations to provide the services.

§ 157.101 Definitions.

(a) *Statutory terms.* Any term defined under the Natural Gas Policy Act of 1978 (NGPA) means the same under this subpart as under the NGPA.

(b) *Subpart E definitions.* For purposes of this subpart:

(1) *Eligible applicant* means any natural gas company or person that will be a natural gas company upon completion of any proposed construction or extension of natural gas facilities.

(2) *New service* means a service for which the applicant for a certificate under this subpart does not have certificate authority. If a contract for service provided under a certificate issued pursuant to this subpart or subpart A of this part is renegotiated to provide for an increase in existing service or an additional kind of service, only the additional increment of service or the different service qualifies as "new service."

(3) *Qualifying facility* means a facility or a portion of a facility that will be used solely to provide new service.

§ 157.102 Contents of application and other pleadings.

(a) *General contents.* (1) Any application, amendment thereto, exhibits, and other submissions required under this subpart must be submitted in the manner prescribed in §§ 157.6(a) and 157.14(a) of this part and must contain all information necessary to advise the Commission fully concerning the transportation, sales and other services, and facilities, construction, extension, or acquisition and operation for which a cer-

tificate and conditional pregranted abandonment authorization is requested.

(2) Except as otherwise provided in paragraph (b) of this section, any application under this subpart must conform to the requirements of subpart A of this part. Section 157.11 does not apply to applications under this subpart.

(b) *Specific contents.* (1) Any application under this subpart must contain:

(i) A statement plainly requesting that the application be considered under the optional procedures of this subpart;

(ii) A statement that the applicant agrees to comply with all terms and conditions specified in § 157.103 of this chapter;

(iii) All exhibits required under § 157.14, except for the information required by § 157.14(a) (10), (11) and (18), unless the application is filed under § 157.7;

(iv) If the proposed new service would be provided to a customer that is located in the service area of a local distribution company, a statement that the applicant has served a copy of this application on that local distribution company and the local distribution company's appropriate state regulatory agency;

(v) An environmental report as specified in § 380.3 and § 380.12 of this chapter. Applicant must submit all appropriate revisions to the environmental report whenever route or site changes are filed. These revisions must identify and describe the specific differences resulting from the route or site changes. Revised totals for the resources affected will not be sufficient; and

(vi) A statement of the rates to be charged for the proposed new service, including *pro forma* copies of the rate schedule to be included in the effective tariff, a statement explaining fully how the proposed rate was derived, showing clearly whether the proposed rate results from negotiation, cost-of-service determination, competitive factors or others, and explaining the bases for the findings and conclusions of any related studies. Any rate filed under this paragraph for new service must comply with the conditions set forth in § 157.103.